

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

LARRY G. PHILPOT)	Case No. 1:20-cv-02940-JRS-MJD
	:	
Plaintiff,)	Judge James R. Sweeney II
	:	Magistrate Judge Mark J. Dinsmore
v.)	
	:	
ODYSSEY MEDIA GROUP, INC.,)	<u>DECLARATION OF LARRY G.</u>
	:	<u>PHILPOT</u>
Defendant.)	

Pursuant to the provisions of 28 U.S.C. §1746, the undersigned, Larry G. Philpot, makes the following declaration under the penalty of perjury:

1. I am the Plaintiff in the above captioned matter.
2. I work as a photographer of musicians and concerts across the country.
3. I license my work to premiere publishers, musicians and media outlets.
4. To the best of my knowledge, Defendant, Odyssey Media Group, Inc., ("Odyssey") is a media outlet.
5. For the Ted Nugent photograph at issue in this matter, my licensing fee would have been \$3,500.00 for use on a website.
6. That licensing fee value is consistent with licensing fee agreements I have reached for photographs taken on or around the same time to be used similar to Odyssey's use referenced in my Complaint in this matter.
7. As an example of a licensing fee for a similar use, I previously reached an agreement for a licensing fee of \$3,500.00 for a Tom Petty photograph used on a website.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed this 7TH day of April, 2022, INDIANAPOLIS, Indiana.



Larry G. Philpot

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